March 16, 2011

U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety Administration**

East Building, PHH – 30
1200 New Jersey Avenue, Southeast
Washington, D.C. 20590

DOT-SP 10049
(TWELFTH REISION)

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: (See individual authorization letter)

2. PURPOSE AND LIMITATION:

a. This special permit authorizes the use of a polyurethane insulated cargo tank conforming with MC 331 built prior to 1984 to transport the hazardous materials prescribed in paragraph 6 below. This special permit provides no relief from any Hazardous Materials Regulation (HMR) other than as specifically stated herein. The most recent revision supersedes all previous revisions.

b. The safety analyses performed in development of this special permit only considered the hazards and risks associated with transportation in commerce.

c. Unless otherwise stated herein, this special permit consists of the special permit authorization letter issued to the grantee together with this document.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR §§ 173.315, 173.318, 173.320, 173.337, 177.840 except as specified herein.

5. BASIS: This special permit is based on the application of Martin Transport, Inc., dated September 4, 2009, submitted in accordance with § 107.105 and the public proceeding thereon.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	**Hazard Class/ Division**	**Identi-fication Number**	**Packing Group**
Petroleum gases, liquefied (or) Liquefied petroleum gas	2.1	UN1075	N/A
Ethane	2.1	UN1035	N/A
Ethane, refrigerated liquid	2.1	UN1961	N/A
Ethane-Propane mixture, refrigerated liquid	2.1	NA1961	N/A
Ethylene, refrigerated liquid (cryogenic liquid)	2.1	UN1038	N/A
Methane, compressed gas	2.1	UN1971	N/A
Compressed gas, flammable, n.o.s.	2.1	UN1954	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packagings prescribed are polyurethane insulated, non-DOT specification cargo tanks bearing serial numbers 60978 through 60989. Each cargo tank is designed and constructed in accordance with Section VIII of the ASME Code with a design pressure of 275 PSIG for the internal tank.

1. Each cargo tank conforms with Evans Tank Company's drawings TR-1811-A Rev. 0, TR-1811-A1 Rev. C, TR-1811-A2 Rev. B, TR-1811-A3 Rev. A, TR-1811-A4X Rev. 0, TR-1811-A5 Rev. 0 on file with the Office of Hazardous Materials Special Permits and Approvals (OHMSPA), and to DOT Specification MC 331 (§ 178.337), except for specification marking.

2. Each cargo tank must be marked "DOT-SP 10049" instead of "MC 331". New construction is not authorized.

b. Design temperature is -320°F for the inner tank. Water capacity is 9,600 gallons for the inner tank. Tank material is SA 240 type 304 stainless steel for the inner tank and outer jacket.

8. SPECIAL PROVISIONS.

a. Each cargo tank must be reinspected and retested once every 5 years in accordance with § 180.407(c) at a pressure (in PSIG) of 14.7 plus one and one-half times the sum of the design pressure plus the static head as prescribed for DOT Specification MC 331 cargo tanks.

b. Each cargo tank must be plainly marked "DOT-SP 10049", on the right side near the middle, in letters at least two inches high on a contrasting background.

c. Each cargo tank must be prepared and shipped as required in §§ 173.315 or 173.318, as applicable for the lading except for flammable cryogenic liquid which must meet the following:

1. §173.318(g)(3), Each cargo tank motor vehicle used to transport a flammable cryogenic liquid must be monitored during each shipment to determine its thermal performance. If, during a shipment, the cargo tank incurs an incidence of venting of the relief valve(s), or a pressure rise of 10 psig or more in 5 hours, the cargo tank may not be refilled with any flammable cryogenic liquid until it is examined and, if necessary, the cargo tank insulation system must be restored to its design criteria and condition under which tests were made to determine the marked rated holding time (MRHT) marked on the specification plate or adjacent thereto; or the cargo tank must be examined to determine its actual holding time. If the examination indicates that the actual holding time of the cargo tank is less than 90% of the MRHT for the cryogenic liquid marked on the specification plate or adjacent thereto, the tank may not be refilled with any flammable cryogenic liquid until it is restored to its MRHT or it is remarked with the actual MRHT determined by this examination. If the name of the flammable cryogenic liquid that was transported and its MRHT is not displayed on or adjacent to the specification plate, this requirement may be met by deriving the MRHT of the

cargo tank for that flammable liquid and comparing the derived MRHT with the actual holding time after adjustment.

2. §177.840(h)- The driver of a motor vehicle transporting a Division 2.1 (flammable gas) material that is a cryogenic liquid in a package exceeding 450 liters (119 gallons) of water capacity shall avoid unnecessary delays during transportation. If during a shipment, there is an incidence of venting of the cargo tank's relief valve(s), or a pressure rise of 10 psig or more per 5 hours, the driver must immediately contact the shipper, carrier or user of the cargo tank motor vehicle and await further instruction in a safe location. If unforeseen conditions cause an excessive pressure rise, the driver shall manually vent the tank as a remote and safe location. If unforeseen conditions cause an excessive pressure rise, the driver shall manually vent the tank at a remote and safe location. For each shipment, the driver shall make a written record of the cargo tank pressure – at the start of each trip; immediately before and after any manual venting; at least once every five hours; at the destination point.

d. No person may transport or offer for transportation a charged cargo tank unless the pressure of the lading is equal to or less than that used to determine the marked rated holding time (MRHT) and the one way travel time is equal to or greater than the elapsed time between the start and termination of travel.

e. The actual holding time for each cargo tank must be determined after each shipment. If it is determined that the actual holding time is less than 90 percent of the MRHT of the cargo tank, it may not be refilled until it is restored to its MRHT or the tank is re-marked with the holding time determined by this examination.

f. A person who is not a holder of this special permit who receives a package covered by this special permit may reoffer it for transportation provided no modifications or changes are made to the package and it is reoffered for transportation in conformance with this special permit and the HMR.

g. A current copy of this special permit must be maintained

at each facility where the package is offered or reoffered for transportation.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS:

a. A current copy of this special permit must be carried aboard each motor vehicle used to transport packages covered by this special permit.

b. Carriers transporting cargo tanks authorized under the terms of this special permit must hold a "Conditional" or "Satisfactory" safety rating, as prescribed in Part 385 of 49 CFR.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

- All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
- Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this special permit, including display of its number, when this special permit has expired or is otherwise no longer in effect.

Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)—"The Hazardous Materials Safety and Security Reauthorization Act of 2005" (Pub. L. 109-59), 119 Stat.

1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term "exemption" to "special permit" and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous materials incident reports. In addition, the grantee(s) of this special permit must notify the Associate Administrator for Hazardous Materials Safety, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:

for Dr. Magdy El-Sibaie
Associate Administrator for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Material Safety Administration, U.S. Department of Transportation, East Building PHH-30, 1200 New Jersey Avenue, Southeast, Washington, D.C. 20590.

Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO:SS